

CORP. DBA WEST 5TH MEDICAL SUPPLY, NED MGMT. CORP., NYC PODIATRY P.C., COMMUNITY MEDICAL DISORDER P.C., HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC, TREATING PHYSICIAN MEDICAL CARE P.C., and THE CENTER FOR SURGERY DBA NEW YORK VEIN CENTER, LLC, committed the crime of Money Laundering in the First Degree, in violation of Penal Law Section 470.20(1)(b)(i)(A)(iii), committed as follows:

The defendants, acting in concert, individually and as high managerial agents acting within the scope of their employment and on behalf of corporate defendants, from on or about October 1, 2012 to on or about September 30, 2014, in the County of Kings and elsewhere, knowing that property, namely money, involved in one or more financial transactions represented the proceeds of class B felonies, specifically, Health Care Fraud in the First Degree and Enterprise Corruption, conducted such financial transactions which in fact involved the proceeds of those felonies with intent to promote the carrying on of specified criminal conduct, and the total value of the property involved in such financial transactions exceeded one million dollars.

**PATTERN ACT #214**

The defendants, ERIC VAINER, POLINA VAINER, IGOR MARMULEVSKIY, MELISSA GONZALEZ, SHAWN MAYO, KIRILL SHAKHOV, MARINA VARGAS, HENRY SARDAR, SUSAN NUTAKOR-DOH, TAESOO KIM, HODA ABDELAZIZ, DAVID GLASS, YELENA KORSUNSKAYA, BENNY OGOREK, AVIA JACKSON, SIMEON ISAACS, NEEMAN GHUMAN, HERBERT MEADOW, MATTHEW JORDAN, RENEE

**DENOBREGA, JOSEPH GROSSMAN, BERNARD RORIE, ASSIST MEDICAL SUPPLIES, CORP., T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY, NED MGMT. CORP., NYC PODIATRY P.C., COMMUNITY MEDICAL DISORDER P.C., HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC, TREATING PHYSICIAN MEDICAL CARE P.C., and THE CENTER FOR SURGERY DBA NEW YORK VEIN CENTER, LLC,** committed the crime of **Conspiracy in the Fourth Degree**, in violation of Penal Law Section 105.10(1), as follows:

The defendants, acting in concert, from on or about October 1, 2012 to on or about September 30, 2014, in Kings County and elsewhere, with intent that conduct constituting a class B or class C felony be performed, specifically, Health Care Fraud in the First and Second Degrees, agreed with one or more persons to engage in and cause the performance of such conduct.

#### **OVERT ACTS**

In furtherance of the conspiracy and to effect the objects thereof, and during the course thereof, the following overt acts, among others, were committed:

1. On or about October 4, 2012, **AVIA JACKSON** wrote three prescriptions for Medicaid recipient Client Identification Number PJ99310Q.
2. On or about October 19, 2012, **BERNARD RORIE** gave Medicaid recipient Client Identification Number PJ99310Q five dollars.
3. On or about November 16, 2012, **MELISSA GONZALEZ** engaged in a conversation with Medicaid recipient Client Identification Number PJ99310Q at 721 Flushing Avenue in Brooklyn relating to sneakers.

4. On or about January 8, 2013, **SUSAN NUTAKOR-DOH** wrote three prescriptions for Medicaid recipient Client Identification Number PJ99310Q.

5. On or about March 15, 2013, **HENRY SARDAR** engaged in a conversation with Medicaid recipient Client Identification Number PJ99310Q at 1396 Myrtle Avenue in Brooklyn.

6. On or about March 29, 2013, **HODA ABDELAZIZ** saw Medicaid recipient Client Identification Number PJ99310Q for approximately four minutes.

7. On or about April 19, 2013, **DAVID GLASS** referred Medicaid recipient Client Identification Number PJ99310Q for a vein test.

8. On or about May 6, 2013, **TAESOO KIM** wrote three prescriptions for Medicaid recipient Client Identification Number PJ99310Q.

9. On or about December 5, 2013, **JOSEPH GROSSMAN** billed Amerigroup \$400 for a procedure relating to recipient Client Identification Number 717749979.

10. On or about March 19, 2014, **RENEE DENOBERGA** gave Medicaid recipient Client Identification Number PJ99310Q a prescription.

11. On or about March 19, 2014, **HERBERT MEADOW** billed Medicaid for a patient visit for Medicaid recipient Client Identification Number PJ99310Q.

12. On or about June 24, 2014, **SIMEON ISAACS** and **ERIC VAINER** had a telephone conversation in which they discussed billing.

13. On July 1, 2014, **YELENA KORSUNSKAYA** and **ERIC VAINER** had a telephone conversation in which they discussed billing.

14. On or about July 7, 2014, **BENNY OGOREK** and **ERIC VAINER** had a telephone conversation in which they discussed financial arrangements.

15. On or about July 10, 2014, **IGOR MARMULEVSKIY** and **ERIC VAINER** discussed issues relating to employees at the different clinics.

16. On or about July 14, 2014, **MATTHEW JORDAN** and **ERIC VAINER** had a telephone conversation in which they discussed paying a recruiter five dollars per patient.

17. On or about July 24, 2014, **MARINA VARGA** and **ERIC VAINER** had a telephone conversation in which they discussed billing.

18. On or about August 5, 2014, **POLINA VAINER** and **ERIC VAINER** discussed creating notes to add to a patient's chart.

19. On or about August 20, 2014, **KIRILL SHAKHOV** and **ERIC VAINER** had a telephone conversation in which they discussed billing.

20. On or about August 21, 2014, **NEEMAN GHUMAN** and **ERIC VAINER** had a telephone conversation in which they discussed the number of patients at the clinic.

21. On or about September 8, 2014, **SHAWN MAYO** and **ERIC VAINER** had a telephone conversation in which they discussed the number of tests performed and DME dispensed from the 471 East Tremont Avenue clinic that day.

22. On or about November 16, 2012, **T.W. CAPITAL CORP. DBA WEST 5<sup>TH</sup> MEDICAL SUPPLY** billed Medicaid for an ankle foot orthotic.

23. On or about September 27, 2013, **TREATING PHYSICIAN MEDICAL CARE P.C.** billed Healthfirst PHSP, Inc. for non-invasive extremity arterial studies.

24. On or about April 14, 2014, a check was drawn against the account of **NYC PODIATRY P.C.**, to **NED MGMT. CORP.** in the amount of \$6,000.

25. On or about March 10, 2014, a check was drawn against the account of **COMMUNITY MEDICAL DISORDER P.C.**, to **NED MGMT. CORP.**, in the amount of \$3,000.

26. On or about August 30, 2013, a check was drawn against the account of **THE CENTER FOR SURGERY (NEW YORK VEIN CENTER, LLC** does business as **THE CENTER FOR SURGERY)** to **NED MGMT. CORP.**, in the amount of \$49,507.46.

27. On or about May 1, 2014, a check was drawn against the account of **ASSIST MEDICAL SUPPLIES, CORP.**, to **HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC** in the amount of \$7,460.

28. On or about June 7, 2013, a check was drawn against the account of **HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC** to **NED MGMT. CORP.**, in the amount of \$15.088.

**COUNT #2**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, POLINA VAINER, IGOR MARMULEVSKIY, MELISSA GONZALEZ, SHAWN MAYO, KIRILL SHAKHOV, MARINA VARGAS, HENRY SARDAR, SUSAN NUTAKOR-DOH, TAESOO KIM, HODA ABDELAZIZ, DAVID GLASS, YELENA KORSUNSKAYA, BENNY OGOREK, AVIA JACKSON, SIMEON ISAACS, NEEMAN GHUMAN, HERBERT MEADOW, MATTHEW JORDAN, RENEE DENOBREGA, JOSEPH**

GROSSMAN, BERNARD RORIE, ASSIST MEDICAL SUPPLIES, CORP., T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY, NED MGMT. CORP., NYC PODIATRY P.C., COMMUNITY MEDICAL DISORDER P.C., HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC, TREATING PHYSICIAN MEDICAL CARE P.C. and THE CENTER FOR SURGERY DBA NEW YORK VEIN CENTER, LLC of the crime of Scheme to Defraud in the First Degree, in violation of Penal Law Section 190.65(1)(b), committed as follows:

The defendants, acting in concert, from on or about October 1, 2012 to on or about September 30, 2014, in the County of Kings and elsewhere, engaged in a scheme constituting a systematic ongoing course of conduct with intent to defraud more than one person and to obtain property from more than one person by false and fraudulent pretenses, representations and promises, and so obtained property with a value in excess of one thousand dollars from one or more such persons.

**COUNT #3**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants ERIC VAINER, POLINA VAINER, IGOR MARMULEVSKIY, MELISSA GONZALEZ, SHAWN MAYO, KIRILL SHAKHOV, MARINA VARGAS, HENRY SARDAR, SUSAN NUTAKOR-DOH, TAESOO KIM, HODA ABDELAZIZ, DAVID GLASS, YELENA KORSUNSKAYA, BENNY OGOREK, AVIA JACKSON, SIMEON ISAACS, NEEMAN GHUMAN, HERBERT MEADOW, MATTHEW JORDAN, RENEE DENOBREGA, JOSEPH GROSSMAN, BERNARD RORIE, ASSIST MEDICAL SUPPLIES, CORP., T.W.

**CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY, NED MGMT. CORP., NYC PODIATRY P.C., COMMUNITY MEDICAL DISORDER P.C., HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC, TREATING PHYSICIAN MEDICAL CARE P.C. and THE CENTER FOR SURGERY DBA NEW YORK VEIN CENTER, LLC of the crime of Health Care Fraud in the First Degree in violation of Penal Law Section 177.25, committed as follows:**

The defendants, acting in concert, from on or about October 1, 2012 to on or about September 30, 2013, in the County of Kings and elsewhere, with intent to defraud a health plan, specifically, the Medicare program, knowingly and willfully provided materially false information for the purpose of requesting payment from Medicare for health care items and services, and, as a result of such information, defendants wrongfully received payments from the Medicare program exceeding one million dollars in the aggregate.

**COUNT #4**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, POLINA VAINER, IGOR MARMULEVSKIY, MELISSA GONZALEZ, SHAWN MAYO, KIRILL SHAKHOV, MARINA VARGAS, HENRY SARDAR, SUSAN NUTAKOR-DOH, TAESOO KIM, HODA ABDELAZIZ, DAVID GLASS, YELENA KORSUNSKAYA, BENNY OGOREK, AVIA JACKSON, SIMEON ISAACS, NEEMAN GHUMAN, HERBERT MEADOW, MATTHEW JORDAN, RENEE DENOBREGA, JOSEPH GROSSMAN, BERNARD RORIE, ASSIST MEDICAL SUPPLIES, CORP., T.W.**

**CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY, NED MGMT. CORP., NYC PODIATRY P.C., COMMUNITY MEDICAL DISORDER P.C., HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC, TREATING PHYSICIAN MEDICAL CARE P.C. and THE CENTER FOR SURGERY DBA NEW YORK VEIN CENTER, LLC of crime of Health Care Fraud in the First Degree in violation of Penal Law Section 177.25, committed as follows:**

The defendants, acting in concert, from on or about October 1, 2013 to on or about September 30, 2014, in the County of Kings and elsewhere, with intent to defraud a health plan, specifically, the Medicare program, knowingly and willfully provided materially false information for the purpose of requesting payment from Medicare for health care items and services, and, as a result of such information, defendants wrongfully received payments from the Medicare program exceeding one million dollars in the aggregate.

**COUNT #5**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, POLINA VAINER, IGOR MARMULEVSKIY, MELISSA GONZALEZ, SHAWN MAYO, KIRILL SHAKHOV, MARINA VARGAS, HENRY SARDAR, SUSAN NUTAKOR-DOH, TAESOO KIM, HODA ABDELAZIZ, DAVID GLASS, YELENA KORSUNSKAYA, BENNY OGOREK, AVIA JACKSON, SIMEON ISAACS, NEEMAN GHUMAN, HERBERT MEADOW, MATTHEW JORDAN, RENEE DENOBREGA, JOSEPH GROSSMAN, BERNARD RORIE, ASSIST MEDICAL SUPPLIES, CORP., T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL**



**SUPPLY, NED MGMT. CORP., NYC PODIATRY P.C., COMMUNITY MEDICAL DISORDER P.C., HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC, TREATING PHYSICIAN MEDICAL CARE P.C. and THE CENTER FOR SURGERY DBA NEW YORK VEIN CENTER, LLC** of crime of **Health Care Fraud in the First Degree** in violation of Penal Law Section **177.25**, committed as follows:

The defendants, acting in concert, from on or about October 1, 2012 to on or about September 30, 2013, in the County of Kings and elsewhere, with intent to defraud a health plan, specifically, the Medicaid program, knowingly and willfully provided materially false information for the purpose of requesting payment from Medicaid for health care items and services, and, as a result of such information, defendants wrongfully received payments from the Medicaid program exceeding one million dollars in the aggregate.

**COUNT #6**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, POLINA VAINER, IGOR MARMULEVSKIY, MELISSA GONZALEZ, SHAWN MAYO, KIRILL SHAKHOV, MARINA VARGAS, HENRY SARDAR, SUSAN NUTAKOR-DOH, TAESOO KIM, HODA ABDELAZIZ, DAVID GLASS, YELENA KORSUNSKAYA, BENNY OGOREK, AVIA JACKSON, SIMEON ISAACS, NEEMAN GHUMAN, HERBERT MEADOW, MATTHEW JORDAN, RENEE DENOBREGA, JOSEPH GROSSMAN, BERNARD RORIE, ASSIST MEDICAL SUPPLIES, CORP., T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY, NED MGMT. CORP.,**

**NYC PODIATRY P.C., COMMUNITY MEDICAL DISORDER P.C., HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC, TREATING PHYSICIAN MEDICAL CARE P.C. and THE CENTER FOR SURGERY DBA NEW YORK VEIN CENTER, LLC** of the crime of **Health Care Fraud in the First Degree** in violation of **Penal Law Section 177.25**, committed as follows:

The defendants, acting in concert, from on or about October 1, 2013 to on or about September 30, 2014, in the County of Kings and elsewhere, with intent to defraud a health plan, specifically, the Medicaid program, knowingly and willfully provided materially false information for the purpose of requesting payment from Medicaid for health care items and services, and, as a result of such information, defendants wrongfully received payments from the Medicaid program exceeding one million dollars in the aggregate.

**COUNT #7**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, POLINA VAINER, MELISSA GONZALEZ, AVIA JACKSON, NEEMAN GHUMAN, IGOR MARMULEVSKIY, MARINA VARGAS, KIRILL SHAKHOV, BERNARD RORIE and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about November 16, 2012, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business

records of an enterprise, specifically, a claim for an ankle foot orthotic that falsely diagnosed Medicaid recipient, Client Identification Number NN29323C, with joint derangement, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #8**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, POLINA VAINER, MELISSA GONZALEZ, AVIA JACKSON, NEEMAN GHUMAN, IGOR MARMULEVSKIY, MARINA VARGAS, KIRILL SHAKHOV, BERNARD RORIE and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about November 16, 2012, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1301400212163420 for payment for services provided on or about November 16, 2012 for Medicaid recipient, Client Identification Number NN29323C, that the defendants knew falsely stated the recipient required an ankle foot orthotic.

**COUNT #9**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5<sup>TH</sup> MEDICAL SUPPLY** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about December 5, 2013, in **Kings County**, stole property, specifically \$363.49 from Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

**COUNT #10**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, IGOR MARMULEVSKIY, ERIC VAINER, DAVID GLASS** and **YELENA KORSUNSKAYA** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about December 5, 2013, in **Kings County**, stole property, specifically \$180.81 from Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

**COUNT #11**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV**

and **ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about December 5, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for debridement of six or more nails and a 15 minute office visit that falsely diagnosed Medicaid managed health care recipient, Client Identification Number 717749979, with dermatophytosis of nail and plantar fascial fibromatosis, filed with Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

**COUNT #12**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5<sup>TH</sup> MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about December 5, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for an ankle foot orthotic that falsely diagnosed Medicaid managed health care recipient, Client Identification Number 717749979, with atherosclerosis of native arteries of the extremities with pain filed with

Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

**COUNT #13**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS, BENNY OGOREK, ERIC VAINER, DAVID GLASS and YELENA KORSUNSKAYA** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about December 5, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form pertaining to Medicaid managed health care recipient, Client Identification Number 717749979, for a medically unnecessary Doppler vein scan and study for a fictitious diagnosis of atherosclerosis of native arteries with intermittent claudication filed with Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

**COUNT #14**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, AVIA JACKSON, NEEMAN GHUMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Falsifying Business**

**Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about December 18, 2012, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for an ankle foot orthotic that falsely diagnosed Medicaid recipient, Client Identification Number NC61142Q, with a non-traumatic rupture of an unspecified tendon filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #15**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, ERIC VAINER, SUSAN NUTAKOR-DOH and HENRY SARDAR** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about December 18, 2012, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 45 minute office visit that falsely diagnosed Medicaid recipient, Client Identification Number NC61142Q, with myalgia and myositis, chronic pain syndrome and sprain of the foot filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #16**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, AVIA JACKSON, NEEMAN GHUMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about December 18, 2012, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1236400035300920 for payment for services provided on December 18, 2012 for Medicaid recipient Client Identification Number NC61142Q, that the defendants knew falsely stated that the recipient required an ankle foot orthotic.

**COUNT #17**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, ERIC VAINER, SUSAN NUTAKOR-DOH** and **HENRY**



**SARDAR** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about December 18, 2012, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that said defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1235600173307320 for payment for services provided on December 18, 2012 for a Medicaid recipient Client Identification Number NC61142Q that the defendants knew falsely claimed a 45 minute office visit by **SUSAN NUTAKOR-DOH** for a fictitious diagnosis of myalgia and myositis, chronic pain syndrome, and sprain of the foot.

**COUNT #18**

**THE GRAND JURY OF THE COUNTY OF KINGS**, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, AVIA JACKSON, NEEMAN GHUMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about October 19, 2012, in **Kings County**, with intent to defraud, including an intent to commit another crime and to

conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for an ankle foot orthotic that falsely diagnosed Medicaid recipient Client Identification Number NW52361A with osteoarthritis, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #19**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, AVIA JACKSON, NEEMAN GHUMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about October 19, 2012, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1229700000014920 for payment for services provided on or about October 19, 2012 for Medicaid recipient Client

Identification Number NW52361A, that the defendants knew falsely stated that the recipient required an ankle foot orthotic.

**COUNT #20**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, AVIA JACKSON, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, JOSEPH GROSSMAN, DAVID GLASS, YELENA KORSUNSKAYA** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about March 5, 2014, in **Kings County**, knowingly stole property, specifically \$413.40 from Medicaid.

**COUNT #21**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, AVIA JACKSON, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about March 5, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of

an enterprise, specifically, a claim form for a foot insert that falsely diagnosed Medicaid recipient Client Identification Number NW52361A with a calcaneal spur, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #22**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, AVIA JACKSON, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about March 5, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for orthopedic footwear that falsely diagnosed Medicaid recipient Client Identification Number NW52361A with a calcaneal spur, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #23**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER and JOSEPH GROSSMAN** of the crime of **Falsifying**

**Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about March 5, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for artery scans and studies that falsely diagnosed Medicaid recipient Client Identification Number NW52361A with atherosclerosis of the extremities with intermittent claudication, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #24**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, ERIC VAINER, DAVID GLASS** and **YELENA KORSUNSKAYA** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about March 5, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for venal tests and studies that falsely diagnosed Medicaid recipient Client Identification Number NW52361A with phlebitis, thrombophlebitis of femoral vein, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #25**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, AVIA JACKSON, IGOR MARMULEVSKIY, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about March 5, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1407300230997420 for payment for services provided on March 5, 2014, for Medicaid recipient, Client Identification Number NW52361A, that the defendants knew falsely stated that the recipient required a foot insert for a fictitious diagnosis of calcaneal spur.

**COUNT #26**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, AVIA JACKSON, IGOR MARMULEVSKIY, BENNY OGOREK, POLINA VAINER, MARINA**

**VARGAS, KIRILL SHAKHOV, ERIC VAINER and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about March 5, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1407300230997320 for payment for services provided on March 5, 2014, for Medicaid recipient, Client Identification Number NW52361A, that the defendants knew falsely stated that the recipient required orthopedic footwear for a fictitious diagnosis of calcaneal spur.

**COUNT #27**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER and JOSEPH GROSSMAN** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about March 5, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **JOSEPH GROSSMAN** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1407300163011920 for payment for services provided on March 5, 2014, for Medicaid recipient, Client Identification Number NW52361A, that the defendants knew falsely stated that the recipient required artery scans and studies for a fictitious diagnosis of atherosclerosis of the extremities with intermittent claudication.

**COUNT #28**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, ERIC VAINER, DAVID GLASS** and **YELENA KORSUNSKAYA** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about March 5, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **DAVID GLASS** to Computer Sciences



Corporation, fiscal agent for the State of New York, claim reference number 1408300212842120 for payment for services provided on March 5, 2014, for Medicaid recipient Client Identification Number NW52361A, that the defendants knew falsely claimed the recipient suffered from phlebitis and thrombophlebitis and a duplex scan of extremity veins was medically necessary.

**COUNT #29**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about December 18, 2013, in **Kings County**, stole property, specifically \$184.73 from Medicare.

**COUNT #30**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about December 18, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business

records of an enterprise, specifically, a claim form for an ankle foot orthotic that falsely diagnosed the Medicare beneficiary associated with Medicare Identification Number 370-25-3574A with plantar fascial fibromatosis filed with NHIC Corp., as fiscal agent for the Medicare -DME program.

**COUNT #31**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV** and **ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about December 18, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 30 minute office visit and debridement of nails that falsely diagnosed Medicare beneficiary, Medicare Identification Number 370-25-3574A, with a fictitious diagnosis of plantar fascial fibromatosis and dermatophytosis of nail, filed with National Government Services, as fiscal agent for the Medicare program.

**COUNT #32**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**

of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about December 18, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the Medicare program, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to NHIC Corp., fiscal agent for the Medicare program -DME, claim reference number 14063707249000 for payment for services provided on December 18, 2013 for the Medicare beneficiary associated with Medicare Identification Number 370-25-3574A, that the defendants knew falsely stated the client required an ankle foot orthotic for a fictitious diagnosis of plantar fascial fibromatosis.

**COUNT #33**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV** and **ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about December 18, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the Medicare program, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and

recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **BENNY OGOREK** to National Government Services, fiscal agent for the Medicare program, claim reference number 751113354468700 for payment for services provided on December 18, 2013, for a Medicare recipient, Client Identification Number 370-25-3574A, that the defendants knew falsely stated that **BENNY OGOREK** performed debridement of six or more nails by any method for a fictitious diagnosis of plantar fascial fibromatosis and dermatophytosis of nail.

#### **COUNT #34**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, AVIA JACKSON, IGOR MARMULEVSKIY, NEEMAN GHUMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about October 12, 2012, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for an ankle foot orthotic that falsely diagnosed Medicaid recipient Client Identification Number NN10654C with a ruptured Achilles tendon, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #35**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, AVIA JACKSON, IGOR MARMULEVSKIY, NEEMAN GHUMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about October 12, 2012, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1229100194334620 for payment for services provided on or about October 12, 2012 for Medicaid recipient, Client Identification Number NN10654C, that the defendants knew falsely stated that the recipient required an ankle foot orthotic for a fictitious diagnosis of a ruptured Achilles tendon.

**COUNT #36**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, AVIA JACKSON,**

**IGOR MARMULEVSKIY, NEEMAN GHUMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about October 4, 2012, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for an ankle foot orthotic that falsely diagnosed Medicaid recipient Client Identification Number PJ99310Q with a sprained ankle, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #37**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, AVIA JACKSON, IGOR MARMULEVSKIY, NEEMAN GHUMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, T.W. CAPITAL CORP. and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about October 4, 2012, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants

submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1228600238072020 for payment for services provided on October 4, 2012 for Medicaid recipient Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required an ankle foot orthotic for a fictitious diagnosis of a sprained ankle.

**COUNT #38**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY** and **ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of Penal Law Section **175.10**, committed as follows:

The defendants, acting in concert, on or about November 20, 2012, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 45 minute office visit that falsely diagnosed Medicaid recipient Client Identification Number PJ99310Q with lumbago, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #39**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST**

**5TH MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about November 20, 2012, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a back brace that falsely diagnosed Medicaid recipient Client Identification Number PJ99310Q with lumbago, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #40**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about November 20, 2012, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1233400176341120 for



payment for services provided on November 20, 2012, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required a back brace for a fictitious diagnosis of lumbago.

**COUNT #41**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY and ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about November 20, 2012, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 12334000124940020 for payment for services provided on November 20, 2012, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 15 minute office visit with the recipient by **SUSAN NUTAKOR-DOH** for a fictitious diagnosis of lumbago, myalgia and myositis, chronic pain syndrome and abnormality of gait.

**COUNT #42**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY and ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about December 4, 2012, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 15 minute office visit that falsely diagnosed Medicaid recipient Client Identification Number PJ99310Q with lumbago, myalgia and myositis, chronic pain syndrome and cervicalgia, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #43**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY and ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about December 4, 2012, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and

recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1304200217149420 for payment for services provided on December 4, 2012, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 15 minute office visit with the client by **SUSAN NUTAKOR-DOH** for a fictitious diagnosis of lumbago, myalgia and myositis, chronic pain syndrome and cervicalgia.

**COUNT #44**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY** and **ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of Penal Law Section **175.10**, committed as follows:

The defendants, acting in concert, on or about December 18, 2012, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 15 minute office visit that falsely diagnosed Medicaid recipient Client Identification Number PJ99310Q with lumbago, myalgia and myositis, chronic pain syndrome and cervicalgia, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #45**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY and ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about December 18, 2012, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1235600173307720 for payment for services provided on December 18, 2012, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 15 minute office visit with the recipient by **SUSAN NUTAKOR-DOH** for a fictitious diagnosis of lumbago, myalgia and myositis, chronic pain syndrome and cervicalgia.

**COUNT #46**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY and ERIC VAINER** of the crime of

**Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about January 8, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 25 minute office visit that falsely diagnosed Medicaid recipient Client Identification Number PJ99310Q with lumbago, myalgia and myositis, opioid type dependence and abnormality of gait filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #47**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY and ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about January 8, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1301400210477120 for payment for services provided on January 8, 2013, for Medicaid

recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 25 minute office visit with the recipient by **SUSAN NUTAKOR-DOH** for a fictitious diagnosis of lumbago.

**COUNT #48**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY** and **ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of Penal Law Section **175.10**, committed as follows:

The defendants, acting in concert, on or about January 22, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 15 minute office visit that falsely diagnosed Medicaid recipient Client Identification Number PJ99310Q with lumbago, myalgia and myositis, opioid dependence, and abnormality of gait, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #49**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY** and **ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of Penal Law Section **175.35**, committed as follows:

The defendants, acting in concert, on or about January 22, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1302800172496920 for payment for services provided on January 22, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 15 minute office visit with the client by **SUSAN NUTAKOR-DOH** for a fictitious diagnosis of lumbago, myalgia and myositis, opioid dependence, and abnormality of gait.

**COUNT #50**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY** and **ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about February 15, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 15 minute office visit that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with lumbago,

myalgia and myositis, opioid dependence, and muscle spasm, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #51**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY and ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about February 15, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim-reference number 1305200180549820 for payment for services provided on February 15, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 15 minute office visit with the recipient by **SUSAN NUTAKOR-DOH** for a fictitious diagnosis of lumbago, myalgia and myositis, opioid dependence, and spasm of muscle.

**COUNT #52**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA**



**GONZALEZ, IGOR MARMULEVSKIY and ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about March 5, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 15 minute office visit that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with lumbago, myalgia and myositis, opioid dependence, and muscle spasm, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #53**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **SUSAN NUTAKOR-DOH, HENRY SARDAR and ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about March 5, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a physical therapy evaluation and therapeutic activities that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with lumbago, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #54**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY and ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about March 5, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1306800000251120, payment for services provided on or about March 5, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 15 minute office visit with the recipient by **SUSAN NUTAKOR-DOH** for a fictitious diagnosis of lumbago, myalgia and myositis, opioid dependence, and spasm of muscle.

**COUNT #55**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **SUSAN NUTAKOR-DOH, HENRY SARDAR and ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about March 5, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1314000209959420 for payment for services provided on March 5, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required physical therapy for a fictitious diagnosis of lumbago.

**COUNT #56**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HENRY SARDAR** and **ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about March 7, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for physical therapy and therapeutic activities that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with lumbago, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #57**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HENRY SARDAR** and **ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about March 7, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1314000209959520 for payment for services provided on March 7, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required physical therapy for a fictitious diagnosis of lumbago.

**COUNT #58**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HENRY SARDAR** and **ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about March 14, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of

an enterprise, specifically, a claim form for physical therapy and therapeutic activities that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with thoracic or lumbosacral neuritis or radiculitis, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #59**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HENRY SARDAR** and **ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about March 14, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1307400193476820, for payment for services provided on March 14, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required physical therapy for a fictitious diagnosis of thoracic or lumbosacral neuritis or radiculitis.

**COUNT #60**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HENRY SARDAR** and **ERIC VAINER** of the crime of **Falsifying**

**Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about March 15, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for physical therapy and therapeutic activities that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with thoracic or lumbosacral neuritis or radiculitis, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #61**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HENRY SARDAR** and **ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about March 15, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1314000209959720 for payment for services provided on March 15, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated

that the recipient required physical therapy for a fictitious diagnosis of thoracic or lumbosacral neuritis or radiculitis.

**COUNT #62**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HODA ABDELAZIZ, HENRY SARDAR and ERIC VAINER** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about March 22, 2013, in **Kings County**, stole property, specifically \$41.15 from Medicaid.

**COUNT #63**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HODA ABDELAZIZ, HENRY SARDAR and ERIC VAINER** of the crime of **Attempted Petit Larceny** in violation of **Penal Law Sections 110 and 155.25**, committed as follows:

The defendants, acting in concert, on or about March 22, 2013, in **Kings County**, attempted to steal property, specifically \$165 from Medicaid.

**COUNT #64**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HODA ABDELAZIZ, HENRY SARDAR and ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about March 22, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of

an enterprise, specifically, a claim form for a 15 minute office visit that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with thoracic or lumbosacral neuritis or radiculitis, myalgia and myositis, opioid dependence, and muscle spasm, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #65**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HODA ABDELAZIZ, HENRY SARDAR and ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about March 22, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for physical therapy and therapeutic activities that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with thoracic or lumbosacral neuritis or radiculitis, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #66**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HODA ABDELAZIZ, HENRY SARDAR and ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:



The defendants, acting in concert, on or about March 22, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted to a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1308400238429620, for payment for services provided on March 22, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 15 minute office visit with the recipient by **HODA ABDELAZIZ** for a fictitious diagnosis of thoracic or lumbosacral neuritis or radiculitis, myalgia and myositis, spasm of muscle, and opioid type dependence.

**COUNT #67**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HODA ABDELAZIZ**, **HENRY SARDAR** and **ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about March 22, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer

Sciences Corporation, fiscal agent for the State of New York, claim reference number 1314000209959820 for payment for services provided on March 22, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required physical therapy for a fictitious diagnosis of thoracic or lumbosacral neuritis or radiculitis, myalgia and myositis, opioid dependence, and muscle spasm.

**COUNT #68**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HODA ABDELAZIZ, HENRY SARDAR and ERIC VAINER** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about March 29, 2013, in **Kings County**, stole property, specifically \$61.80 from Medicaid.

**COUNT #69**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants ~~**HODA ABDELAZIZ, HENRY SARDAR and ERIC VAINER**~~ of the crime of **Attempted Petit Larceny** in violation of **Penal Law Sections 110 and 155.25**, committed as follows:

The defendants, acting in concert, on or about March 29, 2013, in **Kings County**, attempted to steal property, specifically \$300 from Medicaid.

**COUNT #70**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HODA ABDELAZIZ, HENRY SARDAR and ERIC VAINER** of the

crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about March 29, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 15 minute office visit that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with thoracic or lumbosacral neuritis, myalgia and myositis, chronic pain syndrome and muscle spasm, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #71**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HODA ABDELAZIZ, HENRY SARDAR and ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about March 29, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for physical therapy and therapeutic activities that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with myalgia and myositis, thoracic or lumbosacral neuritis, and spasm of muscle, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #72**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HODA ABDELAZIZ, HENRY SARDAR and ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about March 29, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1309100445400120, for payment for services provided on March 29, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 25 minute office visit with the recipient by **HODA ABDELAZIZ** for a fictitious diagnosis of myalgia and myositis, thoracic or lumbosacral neuritis, spasm of muscle, and chronic pain syndrome.

**COUNT #73**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HENRY SARDAR and ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about March 29, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1314000209959920, for payment for services provided on March 29, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required physical therapy for a fictitious diagnosis of thoracic or lumbosacral neuritis, myalgia and myositis, chronic pain syndrome and muscle spasm.

**COUNT #74**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **TAESOO KIM, HENRY SARDAR** and **ERIC VAINER** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about April 12, 2013, in **Kings County**, stole property, specifically \$41.15 from Medicaid.

**COUNT #75**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **TAESOO KIM, HENRY SARDAR** and **ERIC VAINER** of the crime of **Attempted Petit Larceny** in violation of **Penal Law Sections 110 and 155.25**, committed as follows:

The defendants, acting in concert, on or about April 12, 2013, in **Kings County**, attempted to steal property, specifically \$230 from Medicaid.

**COUNT #76**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **TAESOO KIM, HENRY SARDAR** and **ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about April 12, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 15 minute office visit that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with lumbago, myalgia and myositis, abnormality of gait and muscle spasm, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #77**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **TAESOO KIM, HENRY SARDAR** and **ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about April 12, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for physical therapy and therapeutic activities

that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with thoracic or lumbosacral neuritis or radiculitis, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #78**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **TAESoon KIM, HENRY SARDAR** and **ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about April 12, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1310500275396320 for payment for services provided on April 12, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 15 minute office visit with the client by **TAESoon KIM** for a fictitious diagnosis of myalgia and myositis, lumbago, spasm of muscle, and abnormality of gait.

**COUNT #79**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HENRY SARDAR** and **ERIC VAINER** of the crime of **Offering a**

**False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about April 12, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1314000209960020 for payment for services provided on April 12, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required physical therapy for a fictitious diagnosis of thoracic or lumbosacral neuritis.

**COUNT #80**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, ERIC VAINER, AVIA JACKSON, DAVID GLASS** and **YELENA KORSUNSKAYA** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about April 20, 2013, in **Kings County**, stole property, specifically \$150.13 from Medicaid.



**COUNT #81**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, AVIA JACKSON and T.W. CAPITAL CORP. DBA WEST 5<sup>TH</sup> MEDICAL SUPPLY** of the crime of **Attempted Petit Larceny** in violation of **Penal Law Sections 110 and 155.25**, committed as follows:

The defendants, acting in concert, on or about April 19, 2013, in **Kings County**, attempted to steal property, specifically \$194 from Medicaid.

**COUNT #82**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, ERIC VAINER, AVIA JACKSON, DAVID GLASS and YELENA KORSUNSKAYA** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about April 20, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a duplex scan and complete bilateral study of extremity veins that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with phlebitis and thrombophlebitis of lower extremities superficial vessels, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #83**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, AVIA JACKSON and T.W. CAPITAL CORP. DBA WEST 5<sup>TH</sup> MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about April 19, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for an ankle foot orthotic that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with Achilles bursitis or tendinitis, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #84**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, ERIC VAINER, AVIA JACKSON, DAVID GLASS and YELENA KORSUNSKAYA** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about April 20, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office

with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **DAVID GLASS** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1313300183222620 for payment for services provided on or about April 20, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a duplex scan of extremity veins including responses to compression and other maneuvers and complete bilateral study was medically necessary for a fictitious diagnosis of phlebitis and thrombophlebitis of lower extremities superficial vessels.

**COUNT #85**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, AVIA JACKSON** and **T.W. CAPITAL CORP. DBA WEST 5<sup>TH</sup> MEDICAL SUPPLY** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about April 19, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST**

**5<sup>TH</sup> MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1312200241778520 for payment for services provided on April 19, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required an ankle foot orthotic for a fictitious diagnosis of Achilles bursitis or tendinitis.

**COUNT #86**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **TAESOO KIM, HENRY SARDAR and ERIC VAINER** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about May 6, 2013, in **Kings County**, stole property, specifically \$37.41 from Medicaid.

**COUNT #87**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **TAESOO KIM, HENRY SARDAR and ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about May 6, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 15 minute office visit that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with lumbago, myalgia and myositis, chronic pain syndrome and muscle spasm, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #88**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **TAESoon KIM, HENRY SARDAR** and **ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about May 6, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1312800348829820 for payment for services provided on May 6, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 15 minute office visit with the recipient by **TAESoon KIM** for a fictitious diagnosis of myalgia and myositis, lumbago, spasm of muscle, and chronic pain syndrome.

**COUNT #89**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **TAESOO KIM, HENRY SARDAR** and **ERIC VAINER** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about May 24, 2013, in **Kings County**, stole property, specifically \$37.41 from Medicaid.

**COUNT #90**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **TAESOO KIM, HENRY SARDAR and ERIC VAINER** of the crime of **Attempted Petit Larceny** in violation of **Penal Law Sections 110 and 155.25**, committed as follows:

The defendants, acting in concert, on or about May 24, 2013, in **Kings County**, attempted to steal property, specifically \$230 from Medicaid.

**COUNT #91**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **TAESOO KIM, HENRY SARDAR and ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about May 24, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 15 minute office visit that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with lumbago, myalgia and myositis, abnormality of gait and muscle spasm, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #92**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **TAESOO KIM, HENRY SARDAR and ERIC VAINER** of the crime of

**Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about May 24, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for physical therapy and therapeutic activities that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with thoracic or lumbosacral neuritis or radiculitis, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #93**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **TAESOOON KIM**, **HENRY SARDAR** and **ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about May 24, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1314900002525320, for payment for services provided on May 24, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely

claimed a 15 minute office visit with the recipient by **TAESoon KIM** for a fictitious diagnosis of myalgia and myositis, lumbago, spasm of muscle, and abnormality of gait.

**COUNT #94**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HENRY SARDAR** and **ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about May 24, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1314900002525420 for payment for services provided on May 24, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required physical therapy for a fictitious diagnosis of thoracic or lumbosacral neuritis or radiculitis.

**COUNT #95**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HENRY SADAR**, **POLINA VAINER**, **MARINA VARGAS**, **KIRIL SHAKHOV**, **ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5<sup>TH</sup>**



**MEDICAL SUPPLY** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about June 25, 2013, in **Kings County**, stole property, specifically \$194 from Medicaid.

**COUNT #96**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HENRY SADAR** and **ERIC VAINER** of the crime of **Attempted Petit Larceny** in violation of **Penal Law Sections 110 and 155.25**, committed as follows:

The defendants, acting in concert, on or about June 25, 2013, in **Kings County**, attempted to steal property, specifically \$230 from Medicaid.

**COUNT #97**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HENRY SADAR**, **POLINA VAINER**, **MARINA VARGAS**, **KIRIL SHAKHOV**, **ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5<sup>TH</sup> MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about June 25, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for an ankle foot orthotic that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with Achilles bursitis or tendinitis filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #98**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HENRY SADAR** and **ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about June 25, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for physical therapy and therapeutic activities that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with lumbago, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #99**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HENRY SADAR**, **POLINA VAINER**, **MARINA VARGAS**, **KERIL SHAKHOV**, **ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5<sup>TH</sup> MEDICAL SUPPLY** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about June 25, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants

submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5<sup>TH</sup> MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1317700239910620 for payment for services provided on June 25, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required an ankle foot orthotic for a fictitious diagnosis of Achilles bursitis or tendinitis.

**COUNT #100**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **HENRY SADAR** and **ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about June 25, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1317700236729220 for payment for services provided on or about June 25, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required physical therapy for a fictitious diagnosis of lumbago.

**COUNT #101**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **TAESOO KIM, HENRY SARDAR and ERIC VAINER** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about June 28, 2013, in **Kings County**, stole property, specifically \$37.41 from Medicaid.

**COUNT #102**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **TAESOO KIM, HENRY SARDAR and ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about June 28, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 15 minute office visit that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with myalgia and myositis, abnormality of gait, difficulty walking and muscle spasm, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #103**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **TAESOO KIM, HENRY SARDAR and ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about June 28, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1318300252373620 for payment for services provided on June 28, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 15 minute office visit with the recipient by **TAESOO KIM** for a fictitious diagnosis of myalgia and myositis, spasm of muscle, abnormality of gait, and difficulty in walking.

**COUNT #104**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **JOSEPH GROSSMAN** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about December 5, 2013, in **Kings County**, stole property, specifically \$143.39 from Medicaid.

**COUNT #105**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS,**

**BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER and JOSEPH GROSSMAN** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about December 5, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a duplex scan of lower extremity arteries or arterial bypass grafts, complete bilateral that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with atherosclerosis of native arteries of the extremities with rest pain, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #106**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER and JOSEPH GROSSMAN** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about December 5, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and

recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **JOSEPH GROSSMAN** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1334500193680020 for payment for services provided on December 5, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a duplex scan of lower extremity arteries or arterial bypass grafts, complete bilateral study was medically necessary for a fictitious diagnosis of atherosclerosis of native arteries of the extremities with pain.

**COUNT #107**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **IGOR MARMULEVSKIY, RENEE DENOBREGA, HERBERT MEADOW, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV** and **ERIC VAINER** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about March 19, 2014, in **Kings County**, stole property, specifically \$83.74 from Medicaid.

**COUNT #108**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **IGOR MARMULEVSKIY, RENEE DENOBREGA, HERBERT MEADOW, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV** and **ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about March 19, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a psychiatric diagnostic evaluation with medical services that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with depressive disorder, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #109**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **IGOR MARMULEVSKIY, RENEE DENOBREGA, HERBERT MEADOW, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV** and **ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about March 19, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HERBERT MEADOW** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1409200000120020 for payment for services provided on March 19, 2014, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated



that **RENEE DENOBREGA** performed a psychiatric diagnostic evaluation with medical services for the recipient for a fictitious diagnosis of depressive disorder.

**COUNT #110**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, SIMEON ISAACS, BENNY OGOREK, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about March 11, 2014, in **Kings County**, stole property, specifically \$216.37 from the Medicare program.

**COUNT #111**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, SIMEON ISAACS, BENNY OGOREK** and **ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about March 11, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 30 minute patient visit with the Medicare beneficiary associated with Medicare Identification Number 221-11-6099-A, filed with National Government Services, as fiscal agent for the Medicare program.

**COUNT #112**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, SIMEON ISAACS, BENNY OGOREK, ERIC VAINER** and **TW CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about March 11, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for an ankle foot orthotic that falsely diagnosed the Medicare beneficiary associated with Medicare Identification Number 221-11-6099-A with plantar fascial fibromatosis, filed with NHIC, Corp., as fiscal agent for the Medicare – DME program.

**COUNT #113**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, SIMEON ISAACS, BENNY OGOREK** and **ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about March 11, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office

with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **BENNY OGOREK** to National Government Services, fiscal agent for the Medicare program, claim reference number 751114073576640 for payment for services provided on March 11, 2014, for Medicare beneficiary, Medicare Identification Number 221-11-6099-A, that the defendants knew falsely claimed a 30 minute office visit with the beneficiary by **SIMEON ISAACS**.

**COUNT #114**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, SIMEON ISAACS, BENNY OGOREK, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about March 11, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP.**, to NHIC Corp., fiscal agent for the Medicare - DME program, claim reference number 751114073576640 for payment for services provided on March 11, 2014, for Medicare beneficiary, Medicare Identification Number 221-11-6099-A, that the defendants knew

falsely claimed that the beneficiary required an ankle foot orthotic for a fictitious diagnosis of plantar fascial fibromatosis.

**COUNT #115**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, SIMEON ISAACS, BENNY OGOREK, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about March 19, 2014, in **Kings County**, stole property, specifically \$256.62 from Medicare.

**COUNT #116**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, SIMEON ISAACS, BENNY OGOREK** and **ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about March 19, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 30 minute office visit and debridement of nails that falsely diagnosed the Medicare beneficiary associated with Medicare

Identification Number 648-52-1323-A with dermatophytosis of nail and congenital pes planus, filed with National Government Services, as fiscal agent for Medicare.

**COUNT #117**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, SIMEON ISAACS, BENNY OGOREK, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of Penal Law Section 175.10, committed as follows:

The defendants, acting in concert, on or about March 19, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for an ankle foot orthotic that falsely diagnosed the Medicare beneficiary associated with Medicare Identification Number 648-52-1323-A with plantar fascial fibromatosis, filed with NHIC, Corp., as fiscal agent for the Medicare – DME program.

**COUNT #118**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, SIMEON ISAACS, BENNY OGOREK** and **ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of Penal Law Section 175.35, committed as follows:

The defendants, acting in concert, on or about March 19, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **BENNY OGOREK** to National Government Services, fiscal agent for the Medicare program, claim reference number 751814083793150 for payment for services provided on March 19, 2014, for Medicare beneficiary, Medicare Identification Number 648-52-1323-A, that the defendants knew falsely claimed a 30 minute office visit with the beneficiary by **SIMEON ISAACS** and debridement of 6 or more nails for a fictitious diagnosis of dermatophytosis of nail and congenital pes planus.

**COUNT #119**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, SIMEON ISAACS, BENNY OGOREK, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about March 19, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and

otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP.**, to NHIC, Corp., fiscal agent for the Medicare - DME program, claim reference number 14218707035000 for payment for services provided on March 19, 2014, for Medicare beneficiary, Medicare Identification Number 648-52-1323-A, that the defendants knew falsely claimed that the beneficiary required an ankle foot orthotic for a fictitious diagnosis of plantar fascial fibromatosis.

**COUNT #120**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **DAVID GLASS, YELENA KORSUNSKAYA, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, stole property, specifically \$211.27 from Medicaid.

**COUNT #121**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, with intent to defraud, including an intent to commit

another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for diabetic footwear (left) that falsely diagnosed Medicaid recipient Client Identification Number SA52312K with diabetes with neurological manifestation, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #122**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for diabetic footwear (right) that falsely diagnosed Medicaid recipient Client Identification Number SA52312K with diabetes with neurological manifestation, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #123**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST**



**5TH MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a direct formed custom insert (left) that falsely diagnosed Medicaid recipient Client Identification Number SA52312K with diabetes with neurological manifestation, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #124**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a direct formed custom insert (right) that falsely diagnosed Medicaid recipient Client Identification Number SA52312K with diabetes with neurological manifestation, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #125**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1325400000427320 for payment for services provided on July 2, 2013, for Medicaid recipient, Client Identification Number SA52312K, that the defendants knew falsely stated that the recipient required footwear (left) for a fictitious diagnosis of diabetes with neurological manifestation.

**COUNT #126**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER and T.W. CAPITAL CORP. DBA WEST**

**5TH MEDICAL SUPPLY** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1325400000427520 for payment for services provided on July 2, 2013, for Medicaid recipient, Client Identification Number SA52312K, that the defendants knew falsely stated that the recipient required footwear (right) for a fictitious diagnosis of diabetes with neurological manifestation.

**COUNT #127**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York,

offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1325400000427220 for payment for services provided on July 2, 2013, for Medicaid recipient, Client Identification Number SA52312K, that the defendants knew falsely stated that the recipient required a custom insert (left) for a fictitious diagnosis of diabetes with neurological manifestation.

**COUNT #128**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number

1325400000427420 for payment for services provided on July 2, 2013, for Medicaid recipient, Client Identification Number SA52312K, that the defendants knew falsely stated that the recipient required a custom insert (right) for a fictitious diagnosis of diabetes with neurological manifestation.

**COUNT #129**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV and ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 30 minute new patient office visit and debridement of nails that falsely diagnosed Medicaid recipient Client Identification Number SA52312K with diabetes with neurological manifestation, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #130**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV and ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **BENNY OGOREK** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1318600231070120 for payment for services provided on July 2, 2013, for Medicaid recipient, Client Identification Number SA52312K, that the defendants knew falsely claimed a 30 minute office visit by **BENNY OGOREK** and that the recipient required debridement of nails for a fictitious diagnosis of diabetes with neurological manifestation.

**COUNT #131**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **DAVID GLASS, YELENA KORSUNSKAYA** and **ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 30 minute new patient office visit that falsely diagnosed Medicaid recipient Client Identification

Number SA52312K with swelling of limb, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #132**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **DAVID GLASS, YELENA KORSUNSKAYA** and **ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **DAVID GLASS** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1325300179054320 for payment for services provided on July 2, 2013, for Medicaid recipient, Client Identification Number SA52312K, that the defendants knew falsely claimed a 30 minute office visit by **DAVID GLASS** spent with the recipient for a fictitious diagnosis of swelling of limb.

**COUNT #133**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **DAVID GLASS, YELENA KORSUNSKAYA, JOSEPH GROSSMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**

of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, stole property, specifically \$514.96 from Medicaid.

**COUNT #134**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for orthopedic footwear (left) that falsely diagnosed Medicaid recipient Client Identification Number MA20711N with other hammer toe, acquired, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #135**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:



The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for orthopedic footwear (right) that falsely diagnosed Medicaid recipient Client Identification Number MA20711N with other hammer toe, acquired, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #136**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a removable custom insert (left) that falsely diagnosed MA20711N with other hammer toe, acquired, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #137**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the

crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a removable custom insert (right) that falsely diagnosed Medicaid recipient MA20711N with other hammer toe, acquired, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #138**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1420300000843520 for payment for services provided on July 9, 2014, for Medicaid recipient, Client Identification Number

MA20711N, that the defendants knew falsely stated that the recipient required orthopedic footwear (left) for a fictitious diagnosis of hammertoe.

**COUNT #138**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1420300000843720 for payment for services provided on July 9, 2014, for Medicaid recipient, Client Identification Number MA20711N, that the defendants knew falsely stated that the recipient required orthopedic footwear (right) for a fictitious diagnosis of hammertoe.

**COUNT #140**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the

crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1420300000843620 for payment for services provided on July 9, 2014, for Medicaid recipient, Client Identification Number MA20711N, that the defendants knew falsely stated that the recipient required a removable insert (left) for a fictitious diagnosis of hammertoe.

**COUNT #141**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and

otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1424100155430420 for payment for services provided on July 9, 2014, for Medicaid recipient, Client Identification Number MA20711N, that the defendants knew falsely stated that the recipient required a removable insert (right) for a fictitious diagnosis of hammertoe.

**COUNT #142**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **JOSEPH GROSSMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV** and **ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a duplex scan of lower extremity arteries or arterial bypass grafts that falsely diagnosed Medicaid recipient Client Identification Number MA20711N with atherosclerosis of native arteries, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #143**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **JOSEPH GROSSMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV** and **ERIC VAINER** of the crime of **Offering a False Instrument**

**for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **JOSEPH GROSSMAN** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1423800196902820 for payment for services provided on July 9, 2014, for Medicaid recipient, Client Identification Number MA20711N, that the defendants knew falsely stated that the recipient required a duplex scan of lower extremity arteries or arterial bypass grafts for a fictitious diagnosis of atherosclerosis of native arteries.

**COUNT #144**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **DAVID GLASS, YELENA KORSUNSKAYA** and **ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a duplex scan of extremity veins that falsely diagnosed Medicaid recipient Client Identification Number MA20711N with phlebitis

and thrombophlebitis, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #145**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **DAVID GLASS, YELENA KORSUNSKAYA** and **ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **DAVID GLASS** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1426500173875720 for payment for services provided on July 9, 2014, for Medicaid recipient, Client Identification Number MA20711N that the defendants knew falsely stated that the recipient required a duplex scan of extremity veins for a fictitious diagnosis of phlebitis and thrombophlebitis.

**COUNT #146**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **DAVID GLASS, YELENA KORSUNSKAYA, JOSEPH GROSSMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**

of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, stole property, specifically \$533.28 from Medicaid.

**COUNT #147**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for orthopedic footwear (left) that falsely diagnosed Medicaid recipient Client Identification Number TT88566B with unspecified enthesopathy of ankle and tarsus, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #148**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:



The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for orthopedic footwear (right) that falsely diagnosed Medicaid recipient Client Identification Number TT88566B with unspecified enthesopathy of ankle and tarsus, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #149**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a custom insert (left) that falsely diagnosed Medicaid recipient Client Identification Number TT88566B with unspecified enthesopathy of ankle and tarsus, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #150**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BENNY OGOREK, POLINA VAINER, MARINA VARGAS,**

**KIRILL SHAKHOV, ERIC VAINER and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a custom insert (right) that falsely diagnosed Medicaid recipient Client Identification Number TT88566B with unspecified enthesopathy of ankle and tarsus, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #151**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **JOSEPH GROSSMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a complete duplex scan of lower extremity arteries that falsely diagnosed Medicaid recipient Client Identification Number TT88566B with atherosclerosis of arteries, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #152**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **DAVID GLASS, YELENA KORSUNSKAYA and ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a complete duplex scan of extremity veins that falsely diagnosed Medicaid recipient Client Identification Number TT88566B with phlebitis and thrombophlebitis, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program

**COUNT #153**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that

defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1402800008014420 for payment for services provided on January 16, 2014 for Medicaid recipient, Client Identification Number TT88566B, that the defendants knew falsely stated that the recipient required a foot insert (left) for a fictitious diagnosis of unspecified enthesopathy of ankle and tarsus.

**COUNT #154**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1402800008014320 for payment for services provided on January 16, 2014 for Medicaid recipient, Client Identification Number TT88566B, that the defendants knew falsely stated that the recipient required a

foot insert (right) for a fictitious diagnosis of unspecified enthesopathy of ankle and tarsus.

**COUNT #155**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1402800008014920 for payment for services provided on January 16, 2014 for Medicaid recipient, Client Identification Number TT88566B, that the defendants knew falsely stated that the recipient required orthopedic footwear (left) for a fictitious diagnosis of unspecified enthesopathy of ankle and tarsus.

**COUNT #156**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BENNY OGOREK, POLINA VAINER, MARINA VARGAS,**

**KIRILL SHAKHOV, ERIC VAINER and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1402800008014220 for payment for services provided on January 16, 2014 for Medicaid recipient, Client Identification Number TT88566B, that the defendants knew falsely stated that the recipient required orthopedic footwear (right) for a fictitious diagnosis of unspecified enthesopathy of ankle and tarsus.

**COUNT #157**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **JOSEPH GROSSMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV and ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to

a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **JOSEPH GROSSMAN** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1402800168181320 for payment for services provided on January 16, 2014 for Medicaid recipient, Client Identification Number TT88566B, that the defendants knew falsely stated that the recipient required a complete duplex scan of lower extremity arteries for a fictitious diagnosis of atherosclerosis of arteries, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

**COUNT #158**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **DAVID GLASS, YELENA KORSUNSKAYA** and **ERIC VAINER** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **DAVID GLASS** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1403400176344320 for payment for services provided on January 16, 2014, for Medicaid recipient, Client Identification Number TT88566B, that the defendants knew

falsely stated that the recipient required a duplex scan of extremity veins for a fictitious diagnosis of phlebitis and thrombophlebitis.

**COUNT #159**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, DAVID GLASS, YELENA KORSUNSKAYA** and **ERIC VAINER** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about July 23, 2014, in **Kings County**, attempted to steal property, specifically \$217.99 from MetroPlus Health Plan, Inc.

**COUNT #160**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV** and **ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about July 23, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for debridement of nails, paring or cutting two to four callouses or corns, and a 15 minute office visit that falsely diagnosed Medicaid recipient Client Identification Number TT88566B with corns and callouses, filed with MetroPlus Health Plan, Inc.



**COUNT #161**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **DAVID GLASS, YELENA KORSUNSKAYA** and **ERIC VAINER** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about July 23, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for complete bilateral noninvasive physiologic studies of extremity arteries, three or more levels, that falsely diagnosed Medicaid recipient Client Identification Number TT88566B with atherosclerosis of native arteries, filed with MetroPlus Health Plan, Inc.

**COUNT #162**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, ABDUL Q. MALIK** and **BENNY OGOREK** committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about July 16, 2014, in **Kings County** and **Bronx County**, stole property, specifically \$292.15 from Medicare.

**COUNT #163**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, ABDUL Q. MALIK** and **BENNY OGOREK** of the

crime of **Falsifying Business Records in the first degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about July 16, 2014, in **Kings County** and **Bronx County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a non-invasive physiological study of extremity veins complete bilateral studies, duplex scan extremity veins with complete bilateral studies that falsely diagnosed the Medicare beneficiary associated with Medicare identification number 044381213A with swelling of limb, filed with National Government Services, as fiscal agent for the Medicare program.

**COUNT #164**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, ABDUL Q. MALIK** and **BENNY OGOREK** of the crime of **Offering a False Instrument for Filing in the first degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about July 16, 2014, in **Kings County** and **Bronx County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the Medicare program, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, submitted and caused to be submitted a claim for **ABDUL Q. MALIK** to National Government Services, as fiscal agent for the Medicare program, claim reference number 751914204006920 for payment for services that they falsely claim were provided on July

16, 2014, to the Medicare beneficiary associated with Medicare identification number 044381213A, that the defendants knew falsely stated the client required a non-invasive physiological study of extremity veins complete bilateral studies, duplex scan extremity veins with complete bilateral studies for a fictitious diagnosis of swelling of limb.

**COUNT #165**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, ABDUL Q. MALIK and BENNY OGOREK** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about July 17, 2014, in **Kings County** and **Bronx County**, stole property, specifically: \$217.62 from Medicare.

**COUNT #166**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, ABDUL Q. MALIK and BENNY OGOREK** of the crime of **Falsifying Business Records in the first degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about July 17, 2014, in **Kings County** and **Bronx County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a duplex scan of lower extremity arteries or arterial bypass grafts, complete bilateral studies that falsely diagnosed the Medicare beneficiary associated with Medicare identification number 044381213A with atherosclerosis of native arteries of the extremities with intermittent

claudication, filed with National Government Services, as fiscal agent for the Medicare program.

**COUNT #167**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, ABDUL Q. MALIK** and **BENNY OGOREK** of the crime of **Offering a False Instrument for Filing in the first degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about July 17, 2014, in **Kings County** and **Bronx County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the Medicare program, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, submitted and caused to be submitted a claim for **ABDUL Q. MALIK** to National Government Services, as fiscal agent for the Medicare program, claim reference number 751914204007010 for payment for services that they falsely claim were provided on July 17, 2014, to the Medicare beneficiary associated with Medicare identification number 044381213A, that the defendants knew falsely stated the client required a duplex scan of lower extremity arteries or arterial bypass grafts, complete bilateral studies for a fictitious diagnosis of atherosclerosis of native arteries of the extremities with intermittent claudication.

**COUNT #168**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC**

**VAINER, DAVID GLASS, YELENA KORSUNSKAYA, ABDUL Q. MALIK, SIMEONE ISAACS, BENNY OGOREK and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Grand Larceny in the Fourth Degree** in violation of **Penal Law Section 155.30**, committed as follows:

The defendants, acting in concert, on or about April 23, 2014, in **Kings County** and **Bronx County**, stole property, specifically \$1,029.08 from Medicare.

**COUNT #169**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, BENNY OGOREK and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about April 23, 2014, in **Kings County** and **Bronx County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for an ankle foot orthotic that falsely diagnosed the Medicare beneficiary associated with Medicare identification number 119342566A with plantar fascial fibromatosis filed with NHIC Corp., as fiscal agent for the Medicare -DME program.

**COUNT #170**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, BENNY OGOREK and T.W. CAPITAL CORP. DBA WEST 5TH**

**MEDICAL SUPPLY** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about April 23, 2014, in **Kings County** and **Bronx County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the Medicare program, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to NHIC Corp., fiscal agent for the Medicare program-DME, claim reference number 14191707323000 for payment for services that they falsely claim were provided on April 23, 2014, to the Medicare beneficiary associated with Medicare identification number 119342566A, that the defendants knew falsely stated the client required an ankle foot orthotic for a fictitious diagnosis of plantar fibromatosis.

**COUNT #171**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, DAVID GLASS** and **YELENA KORSUNSKAYA** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about April 23, 2014, in **Kings County** and **Bronx County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a duplex scan of extremity veins, complete bilateral studies, that falsely diagnosed the Medicare

beneficiary associated with Medicare identification number 119342566A with unspecified backache and reflex sympathetic dystrophy and disturbance of skin sensation and polyneuropathy in diabetes filed with National Government Services, as fiscal agent for the Medicare program.

**COUNT #172**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, DAVID GLASS and YELENA KORSUNSKAYA** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about April 23, 2014, in **Kings County** and **Bronx County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the Medicare program, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, submitted and caused to be submitted a claim for **DAVID GLASS** to National Government Services, as fiscal agent for the Medicare program, claim reference number 751914205002990 for payment for services that they falsely claim were provided on April 23, 2014, to the Medicare beneficiary associated with Medicare identification number 119342566A, that the defendants knew falsely stated the beneficiary required a duplex scan of extremity veins, complete bilateral studies, for a fictitious diagnosis of unspecified backache and reflex sympathetic dystrophy and disturbance of skin sensation and polyneuropathy in diabetes.

**COUNT #173**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, SIMEONE ISAACS, DAVID GLASS and YELENA KORSUNSKAYA** of the crime of Attempted **Grand Larceny in the Fourth Degree** in violation of **Penal Law Sections 110 and 155.30**, committed as follows:

The defendants, acting in concert, on or about April 24, 2014, in **Kings County** and **Bronx County**, attempted to steal property, specifically \$1,000.00 from Medicare.

**COUNT #174**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, SIMEONE ISAACS, DAVID GLASS and YELENA KORSUNSKAYA** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about April 24, 2014, in **Kings County** and **Bronx County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a duplex scan of lower extremity arteries or arterial bypass grafts, complete bilateral studies, that falsely diagnosed the Medicare beneficiary associated with Medicare identification number 119342566A with unspecified backache and reflex sympathetic dystrophy and disturbance of skin sensation and polyneuropathy in diabetes filed with National Government Services, as fiscal agent for the Medicare program.



**COUNT #175**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, SIMEONE ISAACS, DAVID GLASS and YELENA KORSUNSKAYA** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about April 24, 2014, in **Kings County** and **Bronx County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the Medicare program, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, submitted and caused to be submitted a claim for **DAVID GLASS** to National Government Services, as fiscal agent for the Medicare program, claim reference number 751114139722340 for payment for services that they falsely claim were provided on April 24, 2014, to the Medicare beneficiary associated with Medicare identification number 119342566A, that the defendants knew falsely stated the beneficiary required a duplex scan of lower extremity arteries or arterial bypass grafts, complete bilateral, for a fictitious diagnosis of unspecified backache and reflex sympathetic dystrophy and disturbance of skin sensation and polyneuropathy in diabetes.

**COUNT #176**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, BENNY OGOREK and ABDUL Q. MALIK** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about April 23, 2014, in **Kings County** and **Bronx County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for testing of autonomic nervous system function; sudomotor and non-invasive physiological studies of extremity veins complete bilateral studies, that falsely diagnosed the Medicare beneficiary associated with Medicare identification number 119342566A with pain in limb filed with National Government Services, as fiscal agent for the Medicare program.

**COUNT #177**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER**, **BENNY OGOREK** and **ABDUL Q. MALIK** committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about April 23, 2014, in **Kings County** and **Bronx County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the Medicare program, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, submitted and caused to be submitted a claim for **ABDUL Q. MALIK** to National Government Services, as fiscal agent for the Medicare program, claim reference number 751814121051370 for payment for services that they falsely claim were provided on April 23, 2014, to the Medicare beneficiary associated with Medicare identification number 119342566A, that the defendants knew falsely stated the beneficiary required

testing of autonomic nervous system function; sudomotor and non-invasive physiological studies of extremity veins complete bilateral studies, for a fictitious diagnosis of pain in limb.

**COUNT #178**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, BENNY OGOREK and ABDUL Q. MALIK** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about April 23, 2014, in **Kings County and Bronx County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for testing of autonomic nervous system function; sudomotor, that falsely diagnosed the Medicare beneficiary associated with Medicare identification number 119342566A with atherosclerosis of native arteries of the extremities with intermittent claudication, filed with National Government Services, as fiscal agent for the Medicare program.

**COUNT #179**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, BENNY OGOREK and ABDUL Q. MALIK** of the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, committed as follows:

The defendants, acting in concert, on or about April 23, 2014, in **Kings County and Bronx County**, knowing that a written instrument contained a false statement and

false information, and with intent to defraud the Medicare program, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, submitted and caused to be submitted a claim for **ABDUL Q. MALIK** to National Government Services, as fiscal agent for the Medicare program, claim reference number 751814121051400 for payment for services that they falsely claim were provided on April 23, 2014, to the Medicare beneficiary associated with Medicare identification number 119342566A, that the defendants knew falsely stated the beneficiary required testing of autonomic nervous system function; sudomotor, for a fictitious diagnosis of atherosclerosis of native arteries of the extremities with intermittent claudication.

**COUNT #180**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULVESKIY, ERIC VAINER** and **NEEMAN GHUMAN** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about February 20, 2013, August 25, 2014, and September 27, 2014, in **Kings County**, stole property, specifically \$175.62 from Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

**COUNT #181**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULVESKIY, ERIC VAINER** and **NEEMAN GHUMAN** of the crime of

**Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about February 20, 2013 and August 25, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, claim form 1147316579 for an ankle foot orthosis and a 30 minute office visit that falsely diagnosed Medicaid managed health care recipient Client Identification Number 006626200 with pain in joint, ankle and foot, and traumatic arthropathy, ankle, filed with Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

**COUNT #182**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER** and **ABDUL Q. MALIK** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about July 9, 2013, in **Kings County**, stole property, specifically \$320.41 from Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

**COUNT #183**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER** and **ABDUL Q. MALIK** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about July 9, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a duplex scan of extremity veins and non-invasive physiologic studies of extremity veins, complete bilateral study, that falsely diagnosed Medicaid managed health care recipient, Client Identification Number 006626200, with pain in soft tissue of limb, filed with Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

**COUNT #184**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULVESKIY, ERIC VAINER, and NEEMAN GHUMAN** of the crime of **Attempted Petit Larceny** in violation of **Penal Law Sections 110 and 155.25**, committed as follows:

The defendants, acting in concert, on or about July 12, 2013, September 5, 2013, and September 7, 2013, in **Kings County**, attempted to steal property, specifically \$127.00 from Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

**COUNT #185**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULVESKIY, ERIC VAINER, and ABDUL Q. MALIK** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about July 12, 2013, in **Kings County**, stole property, specifically: \$196.20 from Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

**COUNT #186**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULVESKIY, ERIC VAINER, and NEEMAN GHUMAN** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about July 12, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 20 minute office visit that falsely diagnosed Medicaid managed health care recipient Client Identification Number 006626200 with dermatophytosis of nail filed with Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

**COUNT #187**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULVESKIY, ERIC VAINER and ABDUL Q. MALIK** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about July 12, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a duplex scan of lower extremity that falsely diagnosed Medicaid managed health care recipient, Client Identification Number 006626200, with atherosclerosis of the extremities with pain, filed with Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

**COUNT #188**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER** and **ABDUL Q. MALIK** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about July 15, 2013, in **Kings County**, stole property, specifically \$186.90 from Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

**COUNT #189**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER** and **ABDUL Q. MALIK** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about July 15, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a non-invasive physiologic study that falsely



diagnosed Medicaid managed health care recipient, Client Identification Number 006626200, with atherosclerosis of the extremities with rest/pain, filed with Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

**COUNT #190**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULVESKIY, ERIC VAINER, JOSEPH GROSSMAN, BENNY OGOREK, POLINA VAINER, KIRILL SHAKHOV, MARINA VARGAS, DAVID GLASS and YELENA KORSUNSKAYA** of the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, committed as follows:

The defendants, acting in concert, on or about June 30, 2014, in **Kings County**, stole property, specifically \$617.92 from Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

**COUNT #191**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULVESKIY, ERIC VAINER, POLINA VAINER, KIRILL SHAKHOV, MARINA VARGAS and BENNY OGOREK** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about June 30, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the

commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, claim form 1207464504 for a 15 minute office visit that falsely diagnosed Medicaid managed health care recipient Client Identification Number 718477092 with hammer toe and talipes cavus filed with Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

**COUNT #192**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULVESKIY, ERIC VAINER, POLINA VAINER, KIRILL SHAKHOV, MARINA VARGAS and JOSEPH GROSSMAN** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about June 30, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, claim form 1209322560 for an electrocardiogram, collection of venous blood and a 30 minute office visit that falsely diagnosed Medicaid managed health care recipient Client Identification Number 718477092 with unspecified essential hypertension and palpitations filed with Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

**COUNT #193**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR**

**MARMULVESKIY, ERIC VAINER, POLINA VAINER, KIRILL SHAKHOV, MARINA VARGAS and JOSEPH GROSSMAN** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about June 30, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, claim form 1213856895 for a transthoracic echocardiography that falsely diagnosed Medicaid managed health care recipient Client Identification Number 718477092 with palpitations filed with Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

**COUNT #194**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULVESKIY, ERIC VAINER, DAVID GLASS and YELENA KORSUNSKAYA** of the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, committed as follows:

The defendants, acting in concert, on or about June 30, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, claim form 1211778019 for a complete bilateral noninvasive artery test that falsely diagnosed Medicaid managed health care recipient Client Identification Number 718477092 with atherosclerosis of native arteries of the

extremities filed with Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

**COUNT #195**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants ERIC VAINER, POLINA VAINER, IGOR MARMULEVSKIY, MELISSA GONZALEZ, SHAWN MAYO, KIRILL SHAKHOV, MARINA VARGAS, HENRY SARDAR, SUSAN NUTAKOR-DOH, TAESOO KIM, HODA ABDELAZIZ, DAVID GLASS, YELENA KORSUNSKAYA, BENNY OGOREK, AVIA JACKSON, SIMEON ISAACS, NEEMAN GHUMAN, HERBERT MEADOW, MATTHEW JORDAN, RENEE DENOBREGA, JOSEPH GROSSMAN, ABDUL Q. MALIK, BERNARD RORIE, ASSIST MEDICAL SUPPLIES, CORP., T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY, NED MGMT. CORP., NYC PODIATRY P.C., COMMUNITY MEDICAL DISORDER P.C., HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC, TREATING PHYSICIAN MEDICAL CARE P.C., and THE CENTER FOR SURGERY DBA NEW YORK VEIN CENTER, LLC of violating Social Services Law Section 366-b, committed as follows:

The defendants, acting in concert, from on or about October 1, 2012 to on or about September 30, 2014, in the County of Kings and elsewhere, with intent to defraud, presented for allowance and payment false and fraudulent claims for furnishing services and merchandise.

**COUNT #196**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, POLINA VAINER, IGOR MARMULEVSKIY, MELISSA GONZALEZ, SHAWN MAYO, KIRILL SHAKHOV, MARINA VARGAS, HENRY SARDAR, SUSAN NUTAKOR-DOH, TAESOO KIM, HODA ABDELAZIZ, DAVID GLASS, YELENA KORSUNSKAYA, BENNY OGOREK, AVIA JACKSON, SIMEON ISAACS, NEEMAN GHUMAN, HERBERT MEADOW, MATTHEW JORDAN, RENEE DENOBERGA, JOSEPH GROSSMAN, ABDUL Q. MALIK, BERNARD RORIE, ASSIST MEDICAL SUPPLIES, CORP., T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY, NED MGMT. CORP., NYC PODIATRY P.C., COMMUNITY MEDICAL DISORDER P.C., HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC, TREATING PHYSICIAN MEDICAL CARE P.C., and THE CENTER FOR SURGERY DBA NEW YORK VEIN CENTER, LLC** of violating **Social Services Law Section 366-d**, committed as follows:

The defendants, acting in concert, from on or about October 1, 2012 to on or about September 30, 2014, in the County of Kings and elsewhere, as medical assistance providers, offered, agreed to give and gave payment and other consideration in any form to another person to the extent such payment and other consideration was given for the referral of services for which payment was made under title eleven of article five of the Social Services Law, also known as the New York State Medicaid Program.

**COUNT #197**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, POLINA VAINER, HENRY SARDAR, DAVID GLASS, BENNY OGOREK, NEEMAN GHUMAN, HERBERT MEADOW, JOSEPH GROSSMAN, ASSIST MEDICAL SUPPLIES, CORP., T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY, NED MGMT. CORP., NYC PODIATRY P.C., COMMUNITY MEDICAL DISORDER P.C., HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC, TREATING PHYSICIAN MEDICAL CARE P.C., and THE CENTER FOR SURGERY DBA NEW YORK VEIN CENTER, LLC** of the crime of **Money Laundering in the First Degree**, in violation of **Penal Law Section 470.20(1)(b)(ii)(A)(iii)**, committed as follows:

The defendants, individually and as high managerial agents acting within the scope of their employment and on behalf of corporate defendants, from on or about October 1, 2012 to on or about September 30, 2014, in the County of Kings and elsewhere, knowing that property, namely money, involved in one or more financial transactions represented the proceeds of Health Care Fraud in the First Degree and Enterprise Corruption, both class B felonies, conducted such financial transactions which in fact involved the proceeds of those felonies, knowing that the transactions in whole and in part were designed to conceal and disguise the nature, location, source, ownership and control of the proceeds of specified criminal conduct, and the total value of the property involved in such financial transaction or transactions exceeded one million dollars.

**COUNT #198**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, POLINA VAINER, HENRY SARDAR, DAVID GLASS, BENNY OGOREK, NEEMAN GHUMAN, HERBERT MEADOW, JOSEPH GROSSMAN, ASSIST MEDICAL SUPPLIES, CORP., T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY, NED MGMT. CORP., NYC PODIATRY P.C., COMMUNITY MEDICAL DISORDER P.C., HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC, TREATING PHYSICIAN MEDICAL CARE P.C., and THE CENTER FOR SURGERY DBA NEW YORK VEIN CENTER, LLC** of the crime of **Money Laundering in the First Degree**, in violation of **Penal Law Section 470.20(1)(b)(i)(A)(iii)**, committed as follows:

The defendants, acting in concert, from on or about October 1, 2012 to on or about September 30, 2014, in the County of Kings and elsewhere, knowing that the property, namely money, involved in one or more financial transactions represented the proceeds of class B felonies, specifically, Health Care Fraud in the First Degree and Enterprise Corruption, conducted such financial transactions which in fact involved the proceeds of those felonies with intent to promote the carrying on of specified criminal conduct, and the total value of the property involved in such financial transactions exceeded one million dollars.

**COUNT #199**

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, POLINA VAINER, IGOR MARMULEVSKIY,**

MELISSA GONZALEZ, SHAWN MAYO, KIRILL SHAKHOV, MARINA VARGAS, HENRY SARDAR, SUSAN NUTAKOR-DOH, TAESOO KIM, HODA ABDELAZIZ, DAVID GLASS, YELENA KORSUNSKAYA, BENNY OGOREK, AVIA JACKSON, SIMEON ISAACS, NEEMAN GHUMAN, HERBERT MEADOW, MATTHEW JORDAN, RENEE DENOBERGA, JOSEPH GROSSMAN, ABDUL Q. MALIK, BERNARD RORIE, ASSIST MEDICAL SUPPLIES, CORP., T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY, NED MGMT. CORP., NYC PODIATRY P.C., COMMUNITY MEDICAL DISORDER P.C., HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC, TREATING PHYSICIAN MEDICAL CARE P.C., and THE CENTER FOR SURGERY DBA NEW YORK VEIN CENTER, LLC of the crime of Conspiracy in the Fourth Degree, in violation of Penal Law Section 105.10(1), committed as follows:

The defendants, acting in concert, from on or about October 1, 2012 to on or about September 30, 2014, in Kings County and elsewhere, with intent that conduct constituting a class B or class C felony be performed, specifically, Health Care Fraud in the First and Second Degrees, agreed with one or more persons to engage in and cause the performance of such conduct.

#### **OVERT ACTS**

In furtherance of the conspiracy and to effect the objects thereof, and during the course thereof, the following overt acts, among others, were committed:

1. On or about October 4, 2012, AVIA JACKSON wrote three prescriptions for Medicaid recipient Client Identification Number PJ99310Q.



2. On or about October 19, 2012, **BERNARD RORIE** gave Medicaid recipient Client Identification Number PJ99310Q five dollars.

3. On or about November 16, 2012, **MELISSA GONZALEZ** engaged in a conversation with Medicaid recipient Client Identification Number PJ99310Q at 721 Flushing Avenue in Brooklyn relating to sneakers.

4. On or about January 8, 2013, **SUSAN NUTAKOR-DOH** wrote three prescriptions for Medicaid recipient Client Identification Number PJ99310Q.

5. On or about March 15, 2013, **HENRY SARDAR** engaged in a conversation with Medicaid recipient Client Identification Number PJ99310Q at 1396 Myrtle Avenue in Brooklyn.

6. On or about March 29, 2013, **HODA ABDELAZIZ** saw Medicaid recipient Client Identification Number PJ99310Q for approximately four minutes.

7. On or about April 19, 2013, **DAVID GLASS** referred Medicaid recipient Client Identification Number PJ99310Q for a vein test.

8. On or about May 6, 2013, **TAESOO KIM** wrote three prescriptions for Medicaid recipient Client Identification Number PJ99310Q.

9. On or about December 5, 2013, **JOSEPH GROSSMAN** billed Amerigroup \$400 for a procedure relating to recipient Client Identification Number 717749979.

10. On or about March 19, 2014, **RENEE DENOBRAGA** gave Medicaid recipient Client Identification Number PJ99310Q a prescription.

11. On or about March 19, 2014, **HERBERT MEADOW** billed Medicaid for a patient visit for Medicaid recipient Client Identification Number PJ99310Q.

12. On or about June 24, 2014, **SIMEON ISAACS** and **ERIC VAINER** had a telephone conversation in which they discussed billing.

13. On July 1, 2014, **YELENA KORSUNSKAYA** and **ERIC VAINER** had a telephone conversation in which they discussed billing.

14. On or about July 7, 2014, **BENNY OGOREK** and **ERIC VAINER** had a telephone conversation in which they discussed financial arrangements.

15. On or about July 10, 2014, **IGOR MARMULEVSKIY** and **ERIC VAINER** discussed issues relating to employees at the different clinics.

16. On or about July 14, 2014, **MATTHEW JORDAN** and **ERIC VAINER** had a telephone conversation in which they discussed paying a recruiter five dollars per patient.

17. On or about July 24, 2014, **MARINA VARGA** and **ERIC VAINER** had a telephone conversation in which they discussed billing.

18. On or about August 5, 2014, **POLINA VAINER** and **ERIC VAINER** discussed creating notes to add to a patient's chart.

19. On or about August 20, 2014, **KIRILL SHAKHOV** and **ERIC VAINER** had a telephone conversation in which they discussed billing.

20. On or about August 21, 2014, **NEEMAN GHUMAN** and **ERIC VAINER** had a telephone conversation in which they discussed the number of patients at the clinic.

21. On or about September 8, 2014, **SHAWN MAYO** and **ERIC VAINER** had a telephone conversation in which they discussed the number of tests performed and DME dispensed from the 471 East Tremont Avenue clinic that day.

22. On or about November 16, 2012, **T.W. CAPITAL CORP. DBA WEST 5<sup>TH</sup> MEDICAL SUPPLY** billed Medicaid for an ankle foot orthotic.

23. On or about September 27, 2013, **TREATING PHYSICIAN MEDICAL CARE P.C.** billed Healthfirst PHSP, Inc. for non-invasive extremity arterial studies.

24. On or about April 14, 2014, a check was drawn against the account of **NYC PODIATRY P.C.**, to **NED MGMT. CORP.** in the amount of \$6,000.

25. On or about March 10, 2014, a check was drawn against the account of **COMMUNITY MEDICAL DISORDER P.C.**, to **NED MGMT. CORP.**, in the amount of \$3,000.

26. On or about August 30, 2013, a check was drawn against the account of **THE CENTER FOR SURGERY (NEW YORK VEIN CENTER, LLC does business as THE CENTER FOR SURGERY)** to **NED MGMT. CORP.**, in the amount of \$49,507.46.

27. On or about May 1, 2014, a check was drawn against the account of **ASSIST MEDICAL SUPPLIES, CORP.**, to **HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC** in the amount of \$7,460.

28. On or about June 7, 2013, a check was drawn against the account of **HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC** to **NED MGMT. CORP.**, in the amount of \$15.088.

KENNETH P. THOMSON  
District Attorney  
Kings County